



THE CITY OF MOBILE, ALABAMA
MOBILE CITY PLANNING COMMISSION

LETTER OF DECISION

November 4, 2025

Mercy Chepengna
1615 Dr. Martin Luther King Jr. Avenue
Mobile AL 36617

Re: 6707/1959
BOA-003480-2025
1615 Dr. Martin Luther King Jr. Avenue
Mercy Chepengna (Dr. Sharon Ingram, Agent)
District 2

Use Variance to allow a convenience store in an R-1, Single-Family Residential Urban District; the Unified Development Code (UDC) does not allow a convenience store in an R-1, Single-Family Residential Urban District.

Dear Applicant(s) / Property owner(s):

At its meeting on November 3, 2025, the Board of Zoning Adjustment considered the above referenced application.

After discussion, the Board determined the following findings of fact for approval:

- A) The variance **will not** be contrary to the public interest;
- B) Special conditions exist such that a literal enforcement of the provisions of the chapter **will** result in unnecessary hardship; and
- C) The spirit of the chapter **shall** be observed and substantial justice done to the applicant and the surrounding neighborhood by granting the variance.

The approval is subject to the following conditions:

- 1) Revision of the site plan to demonstrate compliance with the accessibility standards of the International Building Code;
- 2) Revision of the site plan to illustrate all existing wheel stops, or to identify any curbing that prevents vehicle overhang beyond the parking area;
- 3) Revision of the site plan to depict a dumpster with a note stating it will comply with the enclosure and placement standards of Article 3, Section 64-3-13.A of the UDC, or provision of a note on the revised site plan stating curbside waste services will be utilized;

November 4, 2025

- 4) Revision of the site plan to illustrate a six (6)-foot-tall privacy fence where the property adjoins residentially used property; and
- 5) Full compliance with all other codes and ordinances.

No permit, license or certification can be issued until the 15-day appeal period has expired and no appeal has been made. If a permit/license has not been obtained on or before May 3, 2026, the variance will expire and become null and void.


Any party aggrieved by this decision may, within fifteen days of the date of the decision, appeal to the Circuit Court of Mobile County by filing a written notice of appeal, specifying the decision from which the appeal is taken. Notice of the appeal, as well as a date stamped copy of the appeal filed in Circuit Court must be filed with this Board within the fifteen-day appeal period.

For further assistance, please call 251-208-5895.

Sincerely,

BOARD OF ZONING ADJUSTMENT

William Guess, Chairman



By: _____

Stephen Guthrie

Deputy Director of Planning and Zoning